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OFFICE OF PETITIONS

In re Patent of :
Kitagawa et al. :
Patent No. 6,836,170 :
Issue Date: December 28, 2004 :
Application No. 10/723,101 :
Filing Date: November 25, 2003 :
Attorney Docket No. 351991-992011 :

Decision on Petition

This is a decision in response to the paper filed June 15, 2006, which is being treated as a petition under 37 CFR 3.81 to accept the correction of the assignee data on the front page of the above-identified patent.

The request under 37 CFR 3.81 is **GRANTED**.

37 CFR 3.81(b) reads:

Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17(i) of this chapter.

In other words, the request under 37 CFR 3.81(b) will be granted when:

- (1) a request under 37 CFR 3.81 and the fee set forth in 37 CFR 1.17(i) are filed,
- (2) the assignment was submitted for recordation prior to issuance of the patent, and
- (3) a request for a certificate of correction and the fee set forth in 37 CFR 1.20(a) are submitted.

Petitioner has met the requirements set forth above. Therefore, the request is granted.

The Office notes the cover sheet filed with the assignment was erroneous in so far as it only listed one of the assignees. A corrected cover sheet should be submitted. *See* MPEP 323.

The Certificates of Correction Branch will issue the requested certificate of correction in due course.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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Office of Petitions